

ALL INFORMATION SEALED

**AFFIDAVIT FOR SEARCH WARRANT**

Commonwealth of Virginia

VA. CODE § 19.2-54

The undersigned Applicant states under oath:

1. A search is requested in relation to ☒ an offense substantially described as follows:  
☐ a person to be arrested for whom a warrant or process for arrest has been issued identified as follows:

Code of Virginia 18.2-58: Robbery

Code of Virginia 18.2-53.1: Use of a Firearm in Commission of a Felony

[ ] CONTINUED ON ATTACHED SHEET

2. The place, person or thing to be searched is described as follows:

Google LLC, which is headquartered at 1600 Google Amphitheater Parkway, Mountain View, California 94043, and applies to Target Location: Geographical area pertaining to a radius of 150 meters around a latitude/longitude coordinate, Latitude: 37.438420, Longitude: -77.587900. It is your affiant's belief that the records requested are actually possessed by Google LLC, and that Google LLC provides electronic communication service or remote computing service within the Commonwealth of VA. (See Attachment I. for Additional Information)

[ ] CONTINUED ON ATTACHED SHEET

3. The things or persons to be searched for are described as follows:

See Attachment II.

(OVER)

FILE NO.	7444
<b>AFFIDAVIT FOR SEARCH WARRANT</b>	
APPLICANT:	
J.P. Hylton	NAME
Master Detective	TITLE (IF ANY)
P.O. Box 148	ADDRESS
Chesterfield, VA 23832	
Certified to Clerk of	
Chesterfield	Circuit Court
CITY OR COUNTY	
on 6/14/19	DATE
Magistrate	Wanda Bily
TITLE	SIGNATURE
Original Delivered <input checked="" type="checkbox"/> in person [ ] by certified mail	
<input checked="" type="checkbox"/> by electronically transmitted facsimile	
<input type="checkbox"/> by use of filing/security procedures defined in the Uniform Electronic Transactions Act	
to Clerk of Chesterfield	
CITY OR COUNTY WHERE EXECUTED	
on 6/14/19	DATE
Magistrate	Wanda Bily
TITLE	SIGNATURE

[ ] CONTINUED ON ATTACHED SHEET

4. The material facts constituting probable cause that the search should be made are:  
See Attachment III.

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5. The object, thing or person searched for ☒ constitutes evidence of the commission of such offense ☐ is the person to be arrested for whom a warrant or process for arrest has been issued.

6. ☒ I have personal knowledge of the facts set forth in this affidavit AND/OR

☐ I was advised of the facts set forth in this affidavit, in whole or in part, by one or more other person(s). The credibility of the person(s) providing this information to me and/or the reliability of the information provided may be determined from the following facts:

Your affiant has over seven years of law enforcement experience stemming from employment as a police officer with the Chesterfield County Police Department. The undersigned is a duly appointed Task Force Officer with the Federal Bureau of Investigation (FBI). Your affiant is assigned to the Richmond FBI's Central Virginia Violent Crimes Task Force, where his duties include investigating extraterritorial offenses, commercial and bank robberies, murder, kidnappings, serial offenses, armed carjackings, and theft of government property. The undersigned has investigated numerous criminal violations and obtained multiple arrest and search warrants, culminating in the successful prosecution of their respective offenders. Your affiant is familiar with the methods violent offenders use to conduct their illegal activities, to include their communication techniques, utilization of electronic devices for planning/execution, use of additional co-conspirators, and reoccurring method of operation (MO).

The statements above are true and accurate to the best of my knowledge and belief.

Master Detective  
TITLE OF APPLICANT

APPLICANT

Subscribed and sworn to before me this day.

6/14/19

DATE AND TIME

W. Daniel Bishop

☐ CLERK

☒ MAGISTRATE

☐ JUDGE

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**ATTACHMENT I.**  
**PERSON, PLACE, OR THING TO BE SEARCHED:**

This data is maintained on computer servers that are stored at premises controlled by Google Inc., a company that accepts service of legal process at 1600 Amphitheater Parkway, Mountain View, California 94043.

Your affiant knows that Google Inc. maintains certain records during the normal course of business and when properly served with a legal request, Google Inc. will provide Law Enforcement with the said records. Your affiant also knows that these electronic records will further support the ongoing criminal investigation. Your affiant believes that the records requested are actually or constructively possessed by a foreign corporation, Google Inc. that provides electronic communication service or remote computing service within the Commonwealth of Virginia.

Your affiant knows that section 19.2-70.3 of the Code of Virginia states that a provider of electronic communication service or remote computing service, which includes a foreign corporation that provides such services, shall disclose certain business records pertaining to their customers, excluding the contents of electronic communications and real-time location data, to an investigative or law-enforcement officer if the investigative or law-enforcement officer shows that there is reason to believe the records or other information sought are relevant and material to an ongoing criminal investigation. This warrant shall be properly served on the entity named above in accordance with 19.2-70.3 of the code of Virginia.

A law enforcement officer will serve this warrant by transmitting it via email or another appropriate manner to the Provider, Google Inc. The Provider is directed to produce to the law enforcement officer an electronic copy of the information specified in ATTACHMENT II.

RECEIVED & FILED  
CHESTERFIELD CIRCUIT COURT

2019 JUN 14 AM 10:31

WENDY HUGHES  
CLERK OF COURT

1-STEP  
CLERK

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**ATTACHMENT II.**  
**THE PLACE, PERSON OR THING TO BE SEARCHED:**

The facts and circumstances outlined in this affidavit brought on by your Affiant suggest that there is probable cause to believe evidence of the commission of the crime of **Robbery**, a violation of **Virginia Code 18.2-58** and **Use of a Firearm in Commission of a Felony**, a violation of **Virginia Code 18.2-53.1**, may be found within computer servers maintained or controlled by Google, Inc. or Google Payment Corp. Such accounts are described further in ATTACHMENT II. (hereinafter "the Accounts") stored at premises controlled by Google, Inc., a company that accepts service of legal process at 1600 Amphitheatre Parkway, Mountain View, California 94043. The following material is sought for the time period listed below:

- **Date/Time: 05/20/2019 at 1620 hours (EST) – 05/20/2019 at 1720 hours (EST)**
- For each type of Google account that is associated with a device that was inside the geographical area described further in ATTACHMENT II., **during the time frame listed above**, Google will provide "**anonymized information**" regarding the Accounts that are associated with a device that was inside the described geographical area during the time frame described above. This "**anonymized information**" will include a numerical identifier for the account, the type of account, time stamped location coordinates and the data source that this information came from if available. The information initially provided by Google will not contain any further content or information identifying the user of a particular device or account.
- Law enforcement officers will review this "**anonymized information**" provided by Google, Inc. in an effort to narrow down the list of accounts associated with devices identified in the "**anonymized information.**" Law enforcement officers will attempt to narrow down the list by reviewing the time stamped location coordinates for each account and comparing that against the known time and location information that is specific to this crime.
- Law enforcement officers will return a list that they have attempted to narrow down. This list will still be identified by the "**anonymized information**" described above. After this review by Law Enforcement and upon request, Google, Inc. shall produce "contextual data points with points of travel outside of the geographical area" described further in ATTACHMENT II. of this Application for Search Warrant. The time frame will be expanded for this production of "contextual data points with points of travel outside of the geographical area" for 30 minutes before AND 30 minutes after the initial search time periods. This expanded time frame will be as listed below (Google Inc. shall provide this additional information to Law Enforcement for review):

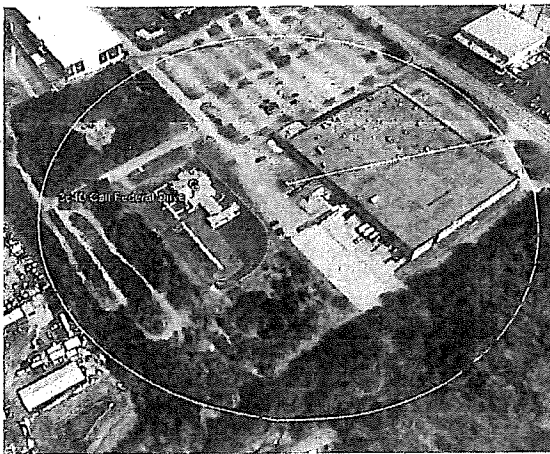
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- **Date/Time: 05/20/2019 at 1620 hours (EST) – 05/20/2019 at 1720 hours (EST) (+/- 30 Minutes) Eastern Standard Time (EST)**
- Law Enforcement officers will review this additional information along with the **“anonymized information”** and will attempt to narrow down the list by comparing this additional information regarding travel and time against the known time and location information that is specific to this crime.
- After review and upon request by Law Enforcement, Google Inc. shall provide identifying account information/CSI for the accounts requested by Law Enforcement. This identifying account information/CSI shall include all of the following that are available: user name and subscriber information to include date of birth if available, account type and account number, email addresses associated with the account, electronic devices associated with the account and their identifying make, model and other identifying numbers, telephone numbers associated with the account including telephone numbers used to set up the account, verify the account or to receive assistance with the account, and Google Voice phone numbers associated with the account.

This search warrant applies to the Google Accounts associated with devices that were located inside the geographical regions bounded by the following latitudinal and longitudinal coordinates, dates, and times:

**Date/Time: 05/20/2019 at 1620 hours (EST) – 05/20/2019 at 1720 hours (EST)**

Geographical Area: Radius of 150 meters around a latitude/longitude coordinate, **Latitude: 37.438420, Longitude: -77.587900.** \*\*An area encompassing the Call Federal Credit Union and an adjacent business the UNSUB fled towards following the robbery\*\*



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CHESTERFIELD CIRCUIT COURT  
2019 JUN 14 AM 10:31  
WENT FUGHERS  
CLERK OF COURT  
JAMES M. WENT  
CLERK OF COURT

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**ATTACHMENT III.**

**MATERIAL FACTS CONSTITUTING PROBABLE CAUSE:**

The Affiant swears to the following facts to establish probable cause for the issuance of a search warrant:

On 05/20/2019 at approximately 1650 hours, an unknown subject (UNSUB) entered the Call Federal Credit Union, [REDACTED] Call Federal Drive, Chesterfield, VA 23235. After entering the bank, the UNSUB approached a teller line and presented a demand note stating the following:

"I've been watching you for sometime now. I got your family as hostage and I know where you live, If you or your coworker alert the cops or anyone your family and you are going to be hurt. I got my boys on the lookout out side. The first cop car they see am going start hurting everyone in sight, hand over all the cash, I need at least 100k and nobody will get hurt and your family will be set free. Think smartly everyone safety is depending and you and your coworkers action so I hope they don't try nothing stupid."

After reading the note, the victim-teller advised she did not have access to that amount of money; subsequently, the UNSUB produced a silver and black firearm from his waste and began forcing the customers and employees to the center of the room. After forcing several patrons to the floor at gunpoint, the UNSUB moved the manager and other parties present to the back of the business where the vault was located. The UNSUB forced the manager to open the vault and place \$195,000.00 of United States currency into a bag he brought with him. After acquiring said funds, the UNSUB fled the area on foot towards an adjacent business, west of the bank.

Upon investigative response, law enforcement officials reviewed the bank's surveillance video prior to the robbery and noted the UNSUB had a cell phone in his right hand and appeared to be speaking with someone on the device. Subsequently, your affiant finds it necessary and prudent to request that Google provide Geo Fencing data in order to assist with the investigation. In the undersigned's training and experience, when people act in concert with one another to commit a crime, they frequently utilize cellular telephones and other such electronic devices, to communicate with each other through WiFi, Bluetooth, GPS, voice calls, text messages, social media accounts, applications, emails, and/or cell towers in the area of the victim-business, located at [REDACTED] Call Federal Drive, Chesterfield, Virginia 23235. Furthermore, the requested data/information would have been captured by Google during the requested time.

This applicant knows a cellular telephone or mobile telephone is a handheld wireless device primarily used for voice, text, and data communication through radio signals.

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Cellular telephones send signals through networks of transmitter/receivers called "cells" or "cell sites," enabling communication with other cellular telephones or traditional "landline" telephones. Cellular telephones rely on cellular towers, the location of which may provide information on the location of the subject telephone. Cellular telephones may also include global positioning system ("GPS") or other technology for determining a more precise location of the device.

This applicant also knows that Google is a company, which, among other things, provides electronic communication services to subscribers, including email services. Google allows subscribers to obtain email accounts at the domain name gmail.com and/or google.com. Subscribers obtain an account by registering with Google. A subscriber using the Provider's services can access his or her email account from any computer/device connected to the Internet.

This applicant knows that Google has also developed a proprietary operating system for mobile devices, including cellular phones, known as Android. Nearly every cellular phone using the Android operating system has an associated Google account, and users are prompted to add a Google account when they first turn on a new Android device.

Based on this applicant's training and experience, this applicant knows that Google collects and retains location data from Android-enabled mobile devices when a Google account user has enabled Google location services. Google can also collect location data from non-Android devices if the device is registered to a Google account and the user has location services enabled. The company uses this information for location-based advertising and location-based search results and stored such data in perpetuity unless it is manually deleted by the user. This location information is derived from GPS data, cell site/cell tower information, Bluetooth connections, and Wi-Fi access points.

This applicant knows that location data can assist investigators in forming a fuller geospatial understanding and timeline related to a specific criminal investigation; and may tend to identify potential witnesses and/or suspects. Such information can also aid investigators in possibly inculcating or exculpating persons of interest.

Additionally, location information can be digitally integrated into image, video, or other computer files associated with a Google account and can indicate the geographic location of the account's user at a particular date and time (e.g., digital cameras, including on cellular telephones, frequently store GPS coordinates indicating where a photo was taken in the "metadata" of an image file).

Your affiant knows that in the September 2013 Pew Research Center study, it was determined that 91% of American adults own a cellular phone with 56% being smartphones. Pew Research Center is located at 1615 L St. NW, Suite 800 Washington, DC 20036 and conduct public opinion polling, demographic research, content analysis and other data-driven social science research. Because of this, your Affiant believes that there is probable cause to believe that the offender(s) in the robbery would have had a mobile device on their person or within close proximity to them.

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**SEARCH WARRANT**

Commonwealth of Virginia VA. CODE §§ 19.2-56, 19.2-57

**TO ANY AUTHORIZED OFFICER:**

You are hereby commanded in the name of the Commonwealth to forthwith search the following place, person or thing either in day or night

Google, LLC. which is headquartered at 1600 Google Amphitheater Parkway, Mountain View, California 94043 -  
Probable cause that the records are possessed by a foreign corporation that provides electronic communication service or remote computing service within Virginia.

for the following property, objects and/or persons:  
See Attached

You are further commanded to seize said property, persons, and/or objects if they be found and to produce before the Chesterfield Circuit Court an inventory of all property, persons, and/or objects seized.

This SEARCH WARRANT is issued in relation to ☒ an offense substantially described as follows:  
☐ a person to be arrested for whom a warrant or process for arrest has been issued identified as follows:

Code of Virginia 18.2-58 Robbery

Code of Virginia 18.2-53.1 Use of a Firearm in the Commission of a Felony

I, the undersigned, have found probable cause to believe that the property or person constitutes evidence of the crime identified herein or tends to show that the person(s) named or described herein has committed or is committing a crime, or that the person to be arrested for whom a warrant or process for arrest has been issued is located at the place to be searched, and further that the search should be made, based on the statements in the attached affidavit sworn to by

Hylton, J.P. CPD [REDACTED]

NAME OF AFFIANT

*David Bishop*  
[ ] CLERK ☒ MAGISTRATE [ ] JUDGE

06/14/2019 10:06 AM

DATE AND TIME

David Bishop

FILE NO.

744✓

**SEARCH WARRANT**

COMMONWEALTH OF VIRGINIA

v./In re

Google LLC

Return to  
Circuit Court

CRIMINAL

SWN: 041CM1900017880



**SEARCH INVENTORY AND RETURN**

The following items, and no others, were seized under authority of this WARRANT:

1. Data
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_
11. \_\_\_\_\_
12. \_\_\_\_\_

RECEIVED & FILED  
CHESTERFIELD CIRCUIT COURT  
WENDY S. HUGHES, CLERK

JUN 19 2019

TESTE

☐ CLERK ☐ DEPUTY CLERK

The statement above is true and accurate to the best of my knowledge and belief

6/19/2019  
DATE

EXECUTING OFFICER

Subscribed and sworn before me this day

6-19-19  
DATE

☐ CLERK ☐ MAGISTRATE ☐ JUDGE
**FOR NOTARY PUBLIC'S USE ONLY:**

State of \_\_\_\_\_ [ ] City [ ] County of \_\_\_\_\_

Acknowledged, subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

NOTARY REGISTRATION NUMBER

NOTARY PUBLIC  
(My commission expires: \_\_\_\_\_)

**ALL INFORMATION SEALED****EXECUTION**

Executed by searching the within described place, person or thing.

6/14/2019 at 1030 Hrs  
DATE AND TIME EXECUTED

EXECUTING OFFICER

Certified to Chesterfield County  
Circuit Court on 6/19/2019  
DATE

EXECUTING OFFICER

Received ☒ in person ☐ by certified mail  
☐ by electronically transmitted  
facsimile

on 6-19-19  
DATE

by: [Signature]  
CLERK OF CIRCUIT COURT

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**ATTACHMENT I.**  
**THE PLACE, PERSON OR THING TO BE SEARCHED:**

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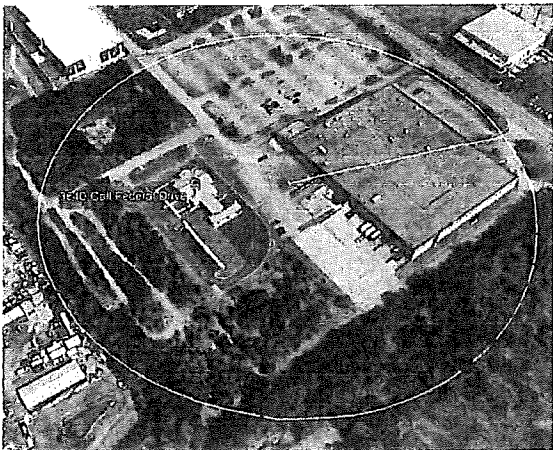
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- After review and upon request by Law Enforcement, Google Inc. shall provide identifying account information/CSI for the accounts requested by Law Enforcement. This identifying account information/CSI shall include all of the following that are available: user name and subscriber information to include date of birth if available, account type and account number, email addresses associated with the account, electronic devices associated with the account and their identifying make, model and other identifying numbers, telephone numbers associated with the account including telephone numbers used to set up the account, verify the account or to receive assistance with the account, and Google Voice phone numbers associated with the account.

This search warrant applies to the Google Accounts associated with devices that were located inside the geographical regions bounded by the following latitudinal and longitudinal coordinates, dates, and times:

**Date/Time: 05/20/2019 at 1620 hours (EST) – 05/20/2019 at 1720 hours (EST)**

Geographical Area: Radius of 150 meters around a latitude/longitude coordinate, **Latitude: 37.438420, Longitude: -77.587900.** **\*\*An area encompassing the Call Federal Credit Union and an adjacent business the UNSUB fled towards following the robbery\*\***



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WEST J. HUGHES  
CLERK OF COURT  
TESTE: [Signature]  
CLERK